

Serial No.: 10/749,993
Examiner: Michael C. Lai

REMARKS/ARGUMENTS

Claims 1, 3-10, and 12-21 remain in the applications, with claims 1, 10 and 19 being independent claims. Claims 2 and 11 have been canceled herein, while claims 1 and 10 have been amended.

Regarding the 35 USC 102(a) rejection:

In the office action, independent claims 1 and 10 were rejected under 35 USC 102(a) as being anticipated by Tonnby et al. (WO 03/067821 A1). Applicants have amended independent claims 1 and 10 as respectfully assert that these claims as now presented overcome the 102 rejection. Applicants have amended independent claim 1 to substantially include the limitations of former claim 2, and have amended independent claim 10 to substantially include the limitations of former claim 11. Pursuant to Examiner's admission, Tonnby "doesn't disclose that the device is a silent device or a printer." (office action paragraph 11). As such, Applicants respectfully request that these rejections be withdrawn.

Regarding claims 4 and 5, as these claims depend either directly or indirectly from independent claim 1, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 1, Applicants respectfully assert that these claims are also patentable over the cite references.

Regarding claims 13 and 14, as these claims depend either directly or indirectly from independent claim 10, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 10, Applicants respectfully assert that these claims are also patentable over the cite references.

Regarding the 35 USC 103(a) rejection:

In the office action, dependent claims 2 and 11 were rejected under 35 USC 103(a) as being unpatentable over Tonnby as applied to claim 1, and in view of Rueda et al. (US 2002/0112076 A1). Applicants have amended independent claim 1 to substantially include the limitations of former claim 2, and have amended independent claim 10 to substantially include the limitations of former claim 11. Applicants respectfully traverse this rejection. In support of

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this rejection, the Examiner set forth "Tonby doesn't disclose that the device is a silent device or a printer. However, Rueda discloses a network printing method (FIG. 23 and paragraph 0217)". In particular, Applicants respectfully assert that, although, Rueda does disclose a network printing method, Rueda does not disclose a "silent device" or silent printer. In fact Rueda requires that the printers not be "silent" which is specifically in contrast to the present invention. In Rueda the network printer **"must have multiprotocol support...Specifically, at least support for TCP/IP, AppleTalk and NetBEUI are required"** (emphasis added). (Rueda, page 16, paragraph 0217). As these are required by Rueda, and at least AppleTalk protocol not being a "silent" protocol, Applicants respectfully assert that neither Tonby nor Rueda, whether taken alone or in any reasonable combination teach, disclose or render obvious the invention as presently claimed in independent claims 1 and 10. Applicants respectfully request that these rejections be withdrawn...

Regarding claims 3 and 6-9, as these claims depend either directly or indirectly from independent claim 1, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 1 and the 103 rejection, Applicants respectfully assert that these claims are also patentable over the cite references.

Regarding claims 12 and 15-18, as these claims depend either directly or indirectly from independent claim 10, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 10 and the 103 rejection, Applicants respectfully assert that these claims are also patentable over the cite references.

In the office action, independent claim 19 was rejected under 35 USC 103(a) as being unpatentable over Tonby in view of Rueda, and further in view of Berlovitch et al. (US 6,061,334). As discussed herein above, although, Rueda does disclose a network printing method, Rueda does not disclose a "silent device" or silent printer. In fact Rueda requires that the printers not be "silent" which is specifically in contrast to the present invention. In Rueda the network printer **"must have multiprotocol support...Specifically, at least support for TCP/IP, AppleTalk and NetBEUI are required"** (emphasis added). (Rueda, page 16, paragraph 0217). Additionally, neither Tonby nor Berlovitch when taken either individually or together with Rueda remedy the deficiency of Rueda. As these three references, whether taken alone or in any

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reasonable combination fail to teach, disclose or render obvious the invention as claimed in independent claim 19, Applicants respectfully request that this rejection be withdrawn.

Regarding claims 20 and 21, as these claims depend either directly or indirectly from independent claim 19, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to claim 19, Applicants respectfully assert that these claims are also patentable over the cite references.

It is believed that the foregoing amendment places the Application in condition for allowance; therefore, Applicant respectfully requests withdrawal of the Examiner's rejection of the claims as set forth in the Office Action, and full allowance of same. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned at 512-306-8533 to expeditiously resolve any outstanding issues.

Respectfully submitted,

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